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### ACCESSIBILITY TAC WITH COMMENTS

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### TAC: Accessibility

### Total Mods for Accessibility in Approved as Submitted: 1

Total Mods for report: 4

### Sub Code: Building

### A7637

TAC Recommendation       Approved as Submitted         Commission Action       Pending Review         Comments       General Comments       Yes       Alternate Language       Yes         Related Modifications       Summary of Modification       Revises the section reference to coordinate with the 2018 edition of the Guidelines. Specifies which section of the Florida Accessibility Code will be applied to an ALF.         Rationale       4.6.3.1 Corrects the reference to the latest published edition of the 2018 edition of the Guidelines.       4.6.3.1 Corrects the reference to the latest published edition of the 2018 edition of the Guidelines.         4.6.3.2 Clarifies that an Assisted Living Facility (ALF) is a "residential facility" not a "Long-Term Care" facility as described in the Accessibility Code.         Because the ALF provides only personal care services and is not defined as a health care facility for along-term care facility. Purposes, not a medical facility or a long-term care facility purposes, not a medical facility or a long-term care facility. This added information will help to clarify the code in this one area and direct the building officials insit that an ALF is a long-term care facility. This added information will help to clarify the code in this one area and direct the building officials insit that an ALF is a long-term care facility.         Fiscal Impact Statement       Impact to local entity relative to enforcement.       Impact to local entity relative to the cost of compliance.         Impact to building and property owners relative to over soft compliance.       Impact to industry relative to the cost of compliance.	Date Submitted Chapter	12/2/2018 4	Section 464 Affects HVHZ	No	Proponent Attachments	James (	gregory No	
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### Alternate Language

Comme	ent Period					
Proponent	James gregory	Sub	omitted	5/10/2019	Attachments	Yes
Fiscal Impact Impact to loc No Impac	sion only. The paragrap <b>Statement</b> cal entity relative to enfo ct. Numbering only. ilding and property own	forcement of code			not 4.6.3.1.	
Impact to ind	ct. Numbering only. Iustry relative to the co ct. Numbering only.	ost of compliance	with code			
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Commer	nt Period					
Proponent	James gregory	Submitted	5/9/2019	Attac	hments No	
Comment: This is an edito	orial comment. The seco	ond paragraph sho	ould read as	464.3.1 instead of 4	1.63.1.	

James gregory	Submitted	5/9/2019	Attachments	No

<u>4.6.3.1</u> <u>464.3.1</u> Except as modified and required by this section of the code, Chapter 58A-5, Florida Administrative Code or Chapter 429 Part III, Florida Statutes, all new assisted living facilities and all additions, alterations, or renovations to existing assisted living facilities with more than 16 licensed beds shall also be in compliance with *The Guidelines for the Design and Construction of Residential Health, Care and Support Facilities* (The Guidelines) Part I General, and Chapter

4.2<u>1</u>SpecialRequirements forAssisted Living Facilities as referenced in Chapter 35 of this code.

A7637 Text Modification

464.3 Codes and standards for the design and construction of assisted living facilities.

<u>4.6.3.1</u> Except as modified and required by this section of the code, Chapter 58A-5, Florida Administrative Code or Chapter 429 Part III, Florida Statutes, all new assisted living facilities and all additions, alterations, or renovations to existing assisted living facilities with more than 16 licensed beds shall also be in compliance with The Guidelines for the Design and Construction of Residential Health, Care and Support Facilities (The Guidelines) Part I General, and Chapter 4.21 Special Requirements for Assisted Living Facilities as referenced in Chapter 35 of this code.

464.3.2 Assisted Living Facilities shall meet the accessibility requirements for Residential Facilities as described section 233 of the Florida Building Code, Accessibility.

### TAC: Accessibility

### Total Mods for Accessibility in No Affirmative Recommendation: 3

Total Mods for report: 4

### Sub Code: Building

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TAC Recommendation       No Affirmative Recommendation         Comments       Genorel Comments       Yes         Alternate Language       No         Related Modifications       Summary of Modification         Summary of Modification       This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Retional       This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Retional       This belongs in the code. A significant part of the population is serviced by this proposal. The referenced installation and design standards do not apply to all elevators and conveying systems and their components. Each standard is for a certain type. Although converted for accessibility in Section 110.8, the installation standard for Platform Lifts and Stairway Chairlifts, ASME A18.1, is not included in Chapter 30. ASME A18.1 is a separate standard, not covered by Section 1.1.2 of ASME A17.1.         Fiscal Impact Statement       Impact to local entity relative to enforcement of code         This proposed modification will not impact the local entity relative to code enforcement.       Impact to industry relative to the cost of compliance with code         This proposed modification will not change the cost of compliance with code       This proposed modification will not change the cost of compliance or impact industry.         Impact to industry relative to the cost of compliance with code       This proposed modification will not change the cost of compliance or im	Date Submitted	11/20/2018	Section 3001.2	Proponent	Bryan Holland	
Comments         General Comments       Yes         Related Modifications         Summary of Modification         Summary of Modification         This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Related Modification         This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Related Modification         This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Related Modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Related Modification will be alled to be readily adapted to meet the requirements of this proposed in for a certain type. Although to solve add to chapter to all elevators and converging systems and their components. Each standard for a certain type. Although covered for accessibility in Section 1100.8, the installation standard for Platform Lifts and Stainway Chairlifts, ASME A18.1, is not included in Chapter 50. ASME A18.1 is a separate standard, not covered by Section 1.1.2 of ASME A17.1.         Fiscal Impact Statement       Impact to local entity relative to enforcement of code         This proposed modification will not change the cost of compliance to building and property owners.       Impact Statement         Impact to industry elavative to the cost of compliance or impact industry.       Impact Statement	Chapter	30	Affects HVHZ No	Attachments	No	
General Comments       Yes       Alternate Language       No         Related Modifications       Related Modification       Related Modification         Summary of Modification       This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Related Modification       This belongs in the code. A significant part of the population is serviced by this proposal where currently there is a void. Current technologies should be able to be readily adapted to meet the requirements of this proposal. The referenced installation and design standards do not apply to all elevators and conveying systems and their components. Each standard is for a certain type. Although covered for accessibility in Section 110.9.8, the installation standard for Platform Lifts and Stainway Chairlifts, ASME A18.1, is not included in Chapter 30. ASME A18.1 is a separate standard, not covered by Section 1.1.2 of ASME A17.1.         Fise Impact Statement       Impact to local entity relative to enforcement of code         Mis proposed modification will not impact the local entity relative to code enforcement.       Impact to Industry relative to the cost of compliance with code         This proposed modification will not change the cost of compliance to building and property owners.       Impact to small business relative to the cost of compliance with code         This proposed modification will not change the cost of compliance or impact small business.       Requirements         Requirements       Maternatic connection with the health, safety, and weffare of the general public.         Strengt						_
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This proposed modification adds "emergency elevator communication systems for the deaf, hard of hearing and speech impaired" to the code.         Rationale         This belongs in the code. A significant part of the population is serviced by this proposal. The referenced installation and design standards do not apply to all elevators and conveying systems and their components. Each standard is for a certain type. Although covered for accessibility in Section 1109.8, the installation standard for Platform Lifts and Stairway Chairlifts, ASME A18.1, is not included in Chapter 30. ASME A18.1 is a separate standard, not covered by Section 1.1.2 of ASME A17.1.         Fiscal Impact Statement       Impact to local entity relative to enforcement of code         This proposed modification will not impact the local entity relative to code enforcement.         Impact to building and property owners relative to cost of compliance with code         This proposed modification will not change the cost of compliance or impact industry.         Impact to small business relative to the cost of compliance or impact industry.         Impact to small business relative to the cost of compliance or impact industry.         Requirements         Has a reasonable and substantial connection with the health, safety, and welfare of the general public.         Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction. This proposed modification is giventy methods, or systems of construction. Does not discriminate against materials, products, methods, or systems of construction. Does not discriminate against materials, products, methods, or systems of construction. D	Related Modifica	tions				
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Proponent Harold Barrineau Submitted 5/25/2019 Attachments No	2nd Comme	ent Period				
	Proponent	Harold Barrineau	Submitted 5/25/2019	Attachments No		

### P9-2924

I agree with this modification

Proponent	Comingore Michelle	Submitted	1/4/2019	Attachments No

### Comment:

If adopted into the building code, this proposal would likely be unenforceable. Florida Statute (F.S.) 399.035 provides accessibility requirements for elevators. Paragraph 399.035(1)(c), F.S., requires elevators to comply with s. 2.27 of ASME A17.1. The requirements in this proposal exceed the requirements in ASME code, which include push-button based two-way communication with a visual indicator, on-demand notification of the building location, elevator number and that assistance is required, and system operability verification.

Paragraph 399.035(4), F.S., states "This section supersedes all other state laws and regulations and local ordinances and rules affecting the accessibility of passenger elevators to the physically handicapped..." Adding this proposal to the building code would make the building code more stringent than the statutorily-mandated two-way communication requirements and present a conflict between statute and the building code.

### **1st Comment Period History**

Proponent andy cid		0/0/00/0		
	Submitted	2/3/2019	Attachments	Yes

### Comment:

See attached comment file.



63-G1

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A7;

<u>3001.2 Emergency elevator communication systems for the deaf, hard of hearing and speech impaired. An</u> emergency two-way communication system shall be provided that:

1. Is a visual and text-based and a video-based 24/7 live interactive system.

2. Is fully accessible by the deaf, hard of hearing and speech impaired, and shall include voice-only options for hearing individuals.

<u>3. Has the ability to communicate with emergency personnel utilizing existing video conferencing technology, chat/text software or other approved technology.</u>

3001.2 3. Referenced standards.

FBC Public Comment by Andy Cid, President/Founder, Barrier Free Solutions for the Deaf and Hard of Hearing, LLC.

I am the author and main proponent of the current code under IBC Chapter 30, Section 3001.2 (effective 2018 through 2021 AND I submitted another code change, which passed and is now public- effective 2021 and good through 2024).

I support Bryan Holland's proposal to adopt the code language under Section 3001.2. Why? Besides providing access to 50 million people of the Deaf in the U.S, the key word to Mr. Holland's proposal and for this code language is SAFETY. If the State of Florida does not adopt progressive safety standards, it will lag behind the rest of the country, as all or most jurisdictions adopt the IBC codes and the relevant standards.

The current ASME a17 standard, in Section 2.27, was re-written in late 2018 (t/b published in 2019) to honor the intent of the IBC code. I was a part of the task force that assisted the a17 in designing the standard language.

Also, the old standard, under 2.27, requires AUDITORY PHONE SYSTEMS ONLY, or insufficient "one way push button" systems. This is NOT two-way interaction for the Deaf community.

Even if the old or new standard is referenced by the FBC, the building code still takes precedence over the standard. See below:

Chapter 1, ICC - Scope and Administration:

102.4 REFERENCED CODES AND STANDARDS -

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2. [A] 102.4.1 Conflicts. Where differences conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

[A] 102.4.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the ICC Codes in section 101.4, the provisions of this code or the ICC codes in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

Therefore, I urge the State of Florida and its building official community to adopt this code change for the FBC. If it is not adopted, the state is doing a disservice to its own citizens by lagging behind the times and not protecting its own. And there is also the liability issue where building owners run the risk of liability and litigation by not providing communication access in elevators, in the event of an elevator system breakdown, with entrapped Deaf occupants.

A7363 -G3 General Comment

### A7451 3 **Date Submitted** 11/26/2018 Section 1401.2.5 **Richard Schauland** Proponent Chapter 14 Affects HVHZ No Attachments Yes No Affirmative Recommendation **TAC Recommendation Commission Action** Pending Review Comments General Comments Alternate Language Yes No **Related Modifications Summary of Modification** Please refer to the attached file. The documentation for this proposal exceeds the 300 character limit. Rationale The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable. **Fiscal Impact Statement** Impact to local entity relative to enforcement of code There will be no impact to local entities relative to the enforcement of the code. This revision is only a clarification of the current provision. Impact to building and property owners relative to cost of compliance with code This will not increase the cost of construction. This revision is only a clarification of the current provision. Impact to industry relative to the cost of compliance with code This will not increase the cost of compliance. This revision is only a clarification of the current provision. Impact to small business relative to the cost of compliance with code This will not increase the cost of compliance. This revision is only a clarification of the current provision. Requirements Has a reasonable and substantial connection with the health, safety, and welfare of the general public The purpose of this section is to provide accessibility requirements for existing buildings that are undergoing work. The proposed revision provides clarity to all types of work and historic structures. Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction This proposal does not strengthen the Code, it provides clarity of an existing rule that will assist in a better understanding for enforcement. Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities The proposal makes no mention of specific materials, products, methods, or systems of construction. Does not degrade the effectiveness of the code This proposal helps the effectiveness of the code by providing clarity of the requirements. 2nd Comment Period Proponent Harold Barrineau Submitted 5/26/2019 No Attachments

51-G2

Comment:

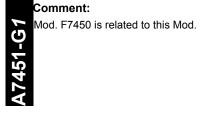
agree with this modification.

### Proponent

**Richard Schauland** Submitted 1/2/2019

No Attachments

### Comment:



**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410,<del>or</del> 705, 806, 906, 1105, and 1201.4 as applicable.

BACK

Page:

### Code Change No: EB77-15

Original Proposal

### Section: 1401.2.5

A7451 Text Modification

Proponent: Edward Kulik, Chair, representing Building Code Action Committee (bcac@iccsafe.org)

**Revise as follows:** 

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410, or 705, 806, 906, 1105, 1204 and 1205.15 as applicable.

**Reason:** The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

In July/2014 the ICC Board decided to sunset the activities of the Code Technology Committee (CTC). This is being accomplished by re-assigning many of the CTC Areas of Study to the applicable Code Action Committee (CAC). This proposal falls under the CTC Area of Study entitled IBC Coordination with the New ADAAG. Information on the CTC, including: the sunset plan; meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the CTC website.

This public proposal is submitted by the ICC Building Code Action Committee (BCAC). The BCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance an assigned International Code or portion thereof. This includes both the technical aspects of the codes as well as the code content in terms of scope and application of referenced standards. Since its inception in July, 2011, the BCAC has held 13 open meetings and numerous workgroup calls which included members of the BCAC as well as any interested party to discuss and debate the proposed changes and the public comments. Related documentation and reports are posted on the BCAC website at: http://www.iccsafe.org/cs/BCAC/Pages/default.aspx.

**Cost Impact:** Will not increase the cost of construction The proposal is a clarification of current requirements; therefore, there is no impact on the cost.

EB77-15

Staff note: An errata was corrected to this section. The reference to Section 605 was revised to Section 705. It is shown as current code text.

Report of Committee Action Hearings

### **Committee Action:**

Approved as Submitted

**Committee Reason:** This proposal was approved as it more comprehensively references all of the relevant accessibility requirements found in the IEBC. There was concern raised in the correlation with this proposal and EB33-15 going forward. EB33-15 moved all the accessibility requirements to Chapter 3.

**Final Action Results** 

Assembly Action:

None

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### A8375

	/						<del>.</del>
Date Submitted 12/15/2018		2018	Section 1401.2.5		Proponent	Kimberly Gilliam	
Chapter	14		Affects HVHZ	No	Attachments	Yes	
TAC Recommen	ndation	No Affirmative Reco	mmendation				
Commission Ac	tion	Pending Review					
Comments							
General Commo	nte	Vee	A 14	ornato Languago	Ne		

### **Related Modifications**

### Summary of Modification

The proposed modification more comprehensively references all of the relevant accessibility requirements found in the FBC, Existing Building.

### Rationale

The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

### Fiscal Impact Statement

### Impact to local entity relative to enforcement of code

None. The proposal is a clarification of current requirements.

### Impact to building and property owners relative to cost of compliance with code

None. The proposal is a clarification of current requirements.

### Impact to industry relative to the cost of compliance with code

None. The proposal is a clarification of current requirements.

### Impact to small business relative to the cost of compliance with code

None. The proposal is a clarification of current requirements.

### Requirements

Has a reasonable and substantial connection with the health, safety, and welfare of the general public No, the proposal is a clarification of current requirements.

Strengthens or improves the code, and provides equivalent or better products, methods, or systems of construction Yes, the clarification provides better coordination within the Code.

### Does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities. No, it does not discriminate against materials, products, methods, or systems of construction of demonstrated capabilities.

Does not degrade the effectiveness of the code

No, it improves coordination within the Code.

### 2nd Comment Period

Proponent	Harold Barrineau	Submitted	5/26/2019	Attachments	No
Comment:					
I agree with thi	is modification.				

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## A8375 Text Modification

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410,67 705, 806, 906, 1105,1204 and 1205.15 as applicable.

BACK

Code Change No:	EΒ	77	<b>'-1</b>	5
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Original Proposal

Section: 1401.2.5

Proponent: Edward Kulik, Chair, representing Building Code Action Committee (bcac@iccsafe.org)

Revise as follows:

**1401.2.5 Accessibility requirements.** Accessibility shall be provided in accordance with Section 410, er 705, 806, 906, 1105, 1204 and 1205, 15 as applicable.

**Reason:** The current reference does not pick up the accessibility provisions for Level 2 and 3, additions or allowances for historic buildings when using the performance compliance method. The performance compliance method should be required to have the same level of access as any other alteration. Technical infeasibility and the 20% maximum rule for the accessible route costs would still be applicable.

In July/2014 the ICC Board decided to sunset the activities of the Code Technology Committee (CTC). This is being accomplished by re-assigning many of the CTC Areas of Study to the applicable Code Action Committee (CAC). This proposal fails under the CTC Areas of Study entitled IBC Coordination with the New ADAAG. Information on the CTC, including: the sunset plan; meeting agendas; minutes; reports; resource documents; presentations; and all other materials developed in conjunction with the CTC effort can be downloaded from the CTC website.

This public proposal is submitted by the ICC Building Code Action Committee (BCAC). The BCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance an assigned International Code or portion thereof. This includes both the technical aspects of the codes as well as the code content in terms of scope and application of referenced standards. Since its inception in July, 2011, the BCAC has held 13 open meetings and numerous workgroup calls which included members of the BCAC as well as any interested party to discuss and debate the proposed changes and the public comments. Related documentation and reports are posted on the BCAC website at: http://www.iccsafe.org/cs/BCAC/Pages/default.aspx.

**Cost Impact:** Will not increase the cost of construction The proposal is a clarification of current requirements; therefore, there is no impact on the cost.

EB77-15

Staff note: An errata was corrected to this section. The reference to Section 605 was revised to Section 705. It is shown as current code text.

Report of Committee Action Hearings

**Committee Action:** 

Approved as Submitted

**Committee Reason:** This proposal was approved as it more comprehensively references all of the relevant accessibility requirements found in the IEBC. There was concern raised in the correlation with this proposal and EB33-15 going forward. EB33-15 moved all the accessibility requirements to Chapter 3.

**Final Action Results** 

Assembly Action:

None

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