

ACT 235 INTERPRETATIONS

The following interpretations and clarifications are being issued to supplement the language contained in Pennsylvania's Universal Accessibility Act and Regulations. These interpretations apply to Pennsylvania Law and may not affect the way the Federal Department of Justice enforces the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

These interpretations are subject to any additional regulations published by the Federal Department of Justice concerning the Americans with Disabilities Act and any legal interpretations issued on these matters.

The following interpretations were put into effect on each of the dates listed.

April 3, 1995

1. Section 4.13.6 - The Department will assume that latches and closures will be installed on doors at the following locations and will require appropriate latch side clearances and maneuvering space:
 - Exterior Doors
 - Rated Doors
 - Toilet rooms serving multi-tenant areas
 - Doors in corridors serving multi-tenants
2. Access will not necessarily be required to special worship features in buildings such as: Alters, baptisteries, pulpits and raised platforms in Masonic Lodge Halls.
3. Apartment structures separated by unpenetrated fire walls into buildings of less than 12,500 sq. ft. are exempt from providing elevator and/or ramp access to non-grade floors when the floor plan clearly shows that the structure could not be used for a common use without significant alterations. The percentage of adaptable apartment units will be calculated upon the total units within the structure.
4. When features in buildings are repeated within the same tenancy/suite and public access to these areas is controlled during the normal business operation, then 10% of these repeated features are required to be accessible. Examples of these types of features are:
 - Exam rooms in doctor's offices
 - Coupon rooms in banks
5. The square footage of special purpose space(s) exempt under section 1.4(f) of the Act does not count toward the 12,500 net sq. ft. of the building area when calculating the total net sq. ft. of the building to apply the elevator/ramp exemption.
6. Grease pits and similar areas are considered Special Purpose Spaces and are exempt from accessibility requirements.
7. Toilet rooms designed for children in supervised environments are exempt from accessibility requirements when they occur in the classroom/day care room and adult accessible facilities are provided. All other restrooms are required to be accessible.
8. Hotel and motel sleeping rooms not required to be accessible by Chapter 9.1.2 are exempt from the provisions of accessibility including hardware and latch side clearances. Signage designating the room number must still meet section 4.30.
9. Building connections such as roofed sidewalks and weather-enclosed passages may connect separate buildings without making a single structure.
10. In new buildings, when access is provided to non-grade floor levels by elevators or ramps, areas of rescue assistance must be provided as stated by regulation even if the building is less than 12,500 net sq. ft. and would have been exempt from providing access to non-grade floor levels.
11. Press boxes that are a portion of a building are required to have access by elevator or ramp when the building portions of the structure exceed 12,500 net sq. ft.
12. Section 4.28 - Visual alarms are not required in classrooms in schools.
13. Personal Care Homes are reviewed under Chapter 9 of the Standards.

14. Building additions of more than 12,500 net sq. ft. require elevator or ramp access to non-grade floor levels of the addition.

April 24, 1995

15. Mezzanines used exclusively for storage purposes with no permanent occupancy shall be considered "Special Purpose Spaces" allowed under section 1.4(f) of Act 235.

16. In single user restroom(s) that have a privacy latch on the entry door, the Department will allow the door to the restroom to encroach upon the "clear floor space" of any fixture within the room as long as a clear floor space complying with ADAAG 4.2.4.1 is provided beyond the arc of the door swing within the room.

February 29, 1996

17. When a complex of men's, women's and an accessible single user restroom is provided at a common location, the Department will delete the Universal Accessibility Standards relating to the men's and women's restrooms except for the following:

- a. Hardware on doors to the restrooms shall meet ADAAG 4.13.9.
- b. Operating controls for at least one of each fixture and/or dispenser shall meet ADAAG 4.27.
- c. When the fixture count in the men's and/or women's restroom is five or more the requirement of providing a 36" stall with an outward swinging, self-closing door and parallel grab bars (section 4.22.4) shall apply.
- d. Signage shall be provided on the men and women's restrooms indicating that they are not wheelchair accessible. Directional signs to the wheelchair accessible restroom(s) shall be provided when location is not obvious.

November 20, 1996

18. Raised platforms that are less than 200 sq. ft. and are used by personnel for the primary purpose of security observation shall be considered Special Purpose Spaces.

19. Accessible routes to stages and/or other raised platforms may be provided by an accessible route outside of the room or space which houses the stage or raised platform provided that the accessible route is inside the building housing the stage or raised platform and the accessible route takes the shortest practical route to the stage.

April 15, 1997

20. In open deck parking garages the provision of areas of rescue assistance at exits {section 60.33(9)} will not be required for levels that are at or above grade.

21. The 12" latch side clearance is not required for exit discharge doors that swing with exit travel and are equipped with either panic hardware or fire exit hardware.

22. When unisex single user restrooms are grouped at the same location, only one of the restrooms is required to provide transfer capabilities complying with ADAAG 4.22. The remaining restrooms would only need to comply with ADAAG section 4.22.7, dealing with controls and dispensers.

July 28, 1997

The following accessibility interpretations shall only apply to buildings, or portions of buildings that are classified as a C5 occupancy and to which access is limited to staff and/or inmates only.

23. Open risers will be permitted on stairways when the space beneath the run of the stair is not enclosed.

24. In multi-leveled housing pods, or units, accessible elements, including an accessible route(s) are not required for non-grade floors used exclusively for sleeping when the required number of accessible rooms, cells, elements are provided at the grade level.

25. Grab bars may be omitted in the original installation, from toilet and shower units occurring within the housing unit or pod provided they are installed when an inmate requiring these features is assigned to that housing unit. A 'quick' release shower unit may be used in inmate showers.
26. Control rooms for sally ports, control rooms that occur in conjunction with the housing unit or pod and the support spaces located adjacent to the control rooms that are used exclusively by the employees assigned to the control room shall be considered a Special Purpose Space and exempt from accessibility standards. This shall not apply to Central Control facilities located within or adjacent to Administrative facilities.
27. The requirement of 60.33(16), signage, shall apply to public use areas only.
28. Doors, which must be operated with the assistance of security personnel, shall be exempt from sections 4.13.6 (maneuvering clearances), 4.13.9 (door hardware), 4.13.10 (door closures), 4.13.11 (door opening force), and 4.13.12 (automatic and power assisted doors).
29. When fixed seating is provided, the 5% requirement of section 60.33(18) shall be suspended and wheelchair locations in the fixed seating area shall be provided based upon the number of disabled inmates assigned to that area.
30. Working kitchens, as well as, central or bulk laundries shall be considered a Special Purpose Space allowed under section 1.4(f) of the Act and shall be exempt from regulations.

December 4, 1997

31. Projection booths within theaters used exclusively for the projection of film and incidental storage shall be considered a 'Special Purpose Space' allowed under Section 1.4(c) of Act 235.

November 8, 1999

32. Apartment buildings with 7 or more units under the same roof are required to comply with Chapter 10 of the American National Standard Institute A117.1-1998. 25% of the total units or all of the ground floor units (whichever is less) shall be accessible. A minimum of one and at least of 10% shall meet the Type A dwelling unit requirements. The remaining percentage may be designed to meet the Type B dwelling unit requirements.

March 15, 2002

33. The 'Exception' to A.D.A.A.G. §4.3.11.2 may be used where it can be demonstrated by §50.23(e) of the Fire and Panic Regulations that the occupancy load of an accessible area will be less than 200.
34. The provision of an accessible route by wheelchair lift complying with A.D.A.A.G. §4.11.2 in new [§60.33(5)] and existing construction [§60.2(b)(2)(i)], where the UAS specifically exempts the provision of an accessible route will be acceptable without the need of obtaining a variance from the Accessibility Advisory Board.
35. The provision of ADAAG §4.9.2 dealing with 'open risers' shall not be applicable for outside stairways used exclusively as 'emergency exiting' and leading to grade from an above grade floor level
36. While §60.2(b)(2)(i) specifically exempts the provision of furnishing an 'accessible route' to the remodeled area(s), it does not allow the creation of architectural barriers within the remodeled area(s).
37. Where the plane of a door is offset more than 8 inches from the plane of the wall, clearances for front approach shall be provided.