

RESOLUTION NO. R-2005-01

A RESOLUTION SUPPORTING THE CONCEPT OF VISITABILITY RELATING TO RESIDENTIAL BUILDINGS AND CONSTRUCTION; REFERING TO PORTIONS OF THE 1998 AMERICAN NATIONAL STANDARD ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES CODE, WITH LOCAL AMENDMENTS

WHEREAS, people over 65 are the fastest growing sector of the American population and life expectancies continue to increase; and

WHEREAS, whether due to injury or age, there is a great likelihood for each of us, at some time in our life, to suffer a temporary or permanent condition that limits mobility or the ability to perform daily tasks of living; and

WHEREAS, the increased cost of constructing a residence with zero step entries and doorways wide enough to permit wheelchair access, electrical outlets reachable by a wheelchair-bound person, and bathroom walls reinforced to permit installation of grab bars is minimal, while the costs and disruption associated with retrofitting an existing home to make it minimally accessible, are substantial; and

WHEREAS, a residence that provides minimal accessibility offers the possibility of occupancy, accessibility or visitation by a disabled person; and

WHEREAS, an occupant of a home that has inclusive design features who becomes disabled, whether temporarily or permanently, may be able to remain at home and avoid or delay the great expense and emotional trauma of institutionalization; and

WHEREAS, South Jordan City is supportive of the concept of building private residences pursuant to visitability standards; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN AS FOLLOWS:

SECTION 1. That this Resolution shall be known and referred to as "The Home Visit Ability Resolution."

SECTION 2. That South Jordan City recommends that homebuilders consider and apply the following provisions of the American National Standard Accessible and Usable Buildings and Facilities Code, as amended by the attached Exhibit A:

Chapter 1. Application and Administration.

Chapter 2. Scoping.

Chapter 3. Building Blocks. Section 301.1 Scope, 303.1 General, 303.2 Vertical, 303.3 Beveled, only;

Chapter 4. Accessible Routes. Sections 401.1 Scope, 402 Accessible, 402.2 Components, 403.5 Clear Width, 404.1 Doorways, 404.2.3 Clear Width, 404.2.5 Thresholds at Doorways, only;

SECTION 3. The provisions of this resolution or the application thereof to any person are not binding, but highly recommended.

SECTION 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the South Jordan City, State of Utah, on this 4 day of January, 2005 by the following vote:

Voting Record:

	AYE	NAY	ABSTAIN	ABSENT
David W. Colton	<u>X</u>	___	___	___
Ann Gayheart	<u>X</u>	___	___	___
Bradley G. Marlor	<u>X</u>	___	___	___
Mary Wenner	<u>X</u>	___	___	___
Leona Winger	<u>X</u>	___	___	___



W. Kent Money
W. Kent Money, Mayor

ATTEST:

Anna West
Anna West, City Recorder

APPROVED AS TO FORM:

John H. Geilmann
John H. Geilmann, City Attorney

Exhibit A

SOUTH JORDAN CITY RECOMMENDED LOCAL AMENDMENTS TO THE 1998 AMERICAN NATIONAL STANDARD ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES CODE. THE FOLLOWING PROVISIONS ARE NOT MANDATORY BUT ARE RECOMMENDED TO BE INCORPORATED INTO RESIDENTIAL CONSTRUCTION BY THE PROCESS OF MAKING SAID CONSTRUCTION PROVIDE VISITABILITY.

Adopt the provisions of the 1998 American National Standard Accessible and Usable Buildings and Facilities Code with the following Amendments:

Section 103, Compliance Alternatives, is hereby amended to add a new section 103.1 to read as follows:

103.1 Waiver of Provisions of This Standard.

Upon a determination by the Building Official that by virtue of terrain or other unusual characteristics of the building site, there are practical difficulties associated with compliance of any specific provision of this standard, and that the additional cost to comply with the applicable provision of this standard shall exceed two hundred dollars, as shown by clear and convincing evidence presented by the applicant, the Building Official may waive the requirements of that specific provision.

Section 106.5, Defined Terms, is hereby amended to read as follows:

* * * *

accessible route: An interior or exterior circulation path that complies with this standard as amended by these local amendments.

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destination-oriented elevator system: An elevator system that provides lobby controls to select destination floors, lobby indicators designating the floors at which the car will stop.

dwelling unit: A detached one, two or three family dwelling unit having one occupiable floor at grade level.

element: An architectural or mechanical component of a building, facility, space or site.

* * * *

Chapter 2. Scoping is hereby amended to add a new section 204, Application to Dwelling Units to read as follows:

204 Application to Dwelling Units. Pursuant to Sections 201 and 202, the provisions of Chapter 10 of this Code, as adopted and amended by the administrative authority, shall extend to and apply to new construction of all dwelling units for which plans are submitted to the Building Official beginning four months after the effective date of this ordinance. Dwelling units for which plans have already been certified prior to the enactment of this ordinance shall be exempt from its provisions until the date of their next re-certification.

Section 303.1 General, is hereby amended to read as follows:

Section 303.1 General. Changes in level in floor or ground surfaces shall comply with Sections 303.2 and 303.3.

Section 402.2 Components, is hereby amended to read as follows:

402.2 Components. Accessible routes shall consist of one or more of the following components: Waling surfaces with a slope not steeper than 1:20, doorways, ramps, curb ramps, elevators, and wheelchair (platform) lifts. All components of an accessible route shall comply with the applicable portion of this standard adopted by the City Council of South Jordan City and as amended by these local amendments.

Section 404.1, General, is hereby amended to read as follows:

Section 404.1 General. Doors and doorways that are part of an accessible route shall comply with Sections 404.2.5 and 404.2.7.

Section 404.2.5, Thresholds at Doorways, is hereby amended to read as follows:

404.2.5 Thresholds at Doorways. Thresholds, if provided, at doorways shall be ½ inch (13mm) high maximum. Raised thresholds and changes in level at doorways shall comply with Section ~~302~~ and 303.1, 303.2 and 303.3 only.

Section 1003.1, General, is hereby amended to read as follows:

1003.1 General. ~~Type B~~ Dwelling units shall comply with Sections ~~1003~~ 1003.2, 1003.3, 1003.5, 1003.9 and 1003.11, as amended by these local amendments.

Section 1003.2, Primary Entrance, is hereby amended to read as follows:

1003.2 Primary Accessible Entrance. There shall be at least one accessible primary entrance shall be on an accessible route from public and common areas, including, but not limited to, a driveway or public street or sidewalk. ~~The primary~~ This entrance shall not be to a bedroom.

Section 1003.3, Accessible Route, is hereby amended to read as follows:

1003.3 Accessible Route. Accessible routes within ~~Type B~~ dwelling units shall comply with Sections 1003.3.1 and 1003.3.2.

EXCEPTION: ~~One of t~~ The following is ~~are~~ not required to be on an accessible route:

1. A raised floor area in a portion of a living, dining, pr sleeping room; ~~or~~
2. A sunken floor area in a portion of a living, dining, or sleeping room; ~~or~~
3. A mezzanine that does not have plumbing fixtures or an enclosed habitable space
4. Rooms located on a floor other than that served by the accessible entrance.

Section 1003.4, is hereby amended to read as follows by amending subsection 1003.4.2 to read as follows:

1003.4.2 Changes in Level. Changes in level shall comply with Section 303 except Section 303.4.

EXCEPTION: Where exterior deck, patio or balcony surface materials are impervious, the finished exterior impervious surface shall be 4 inches (100 mm) maximum below the finished floor level of the adjacent interior spaces of the dwelling unit.

Section 1003.5, Doors and Doorways, is hereby amended to read as follows:

1003.5 Doors and Doorways. Doors and doorways on an accessible route shall comply with Sections 1003.5.1 and 1003.5.2 as amended by these local amendments.

1003.5.1 Primary Accessible Entrance Door. The primary accessible entrance door to the dwelling unit shall comply with Section 404.2.5 and 404.2.7, as amended by these local amendments.

1003.5.2 User Passage Doorways. Doorways on an accessible route intended for user passage shall comply with Section 404.2.7 and 1003.5.2.1 through 1003.5.2.4.3.

1003.5.2.1 Clear Width. Doorways shall have a clear opening of ~~31~~ $\frac{3}{4}$ 30 inches (~~810~~765 mm) minimum. Clear opening of swinging doors shall be measured between the face of the door and stop, with the door open 90 degrees.

1003.5.2.2 Thresholds. Thresholds shall comply with Section 303.1, 303.2, and 303.3.

~~**1003.5.2.3 Automatic Doors.** Automatic doors shall comply with Section 404.3.~~

1003.5.2.4 Double Leaf Doorways. Where an inactive leaf with operable parts more than 48 inches (1220 mm) above the floor or ground is provided, the active leaf shall provide the clearance required by Section 1003.5.2.1.

* * * *

Section 1003.11.2, Grab Bar Reinforcement, is hereby amended to read:

1003.11.2 Grab Bar Reinforcement. In bathrooms on the accessible route, ~~Reinforcement shall be provided for future installation of grab bars and shower seats at water closets, bathtubs, and shower compartments. Where walls are so as to permit installation of grab bars and seats complying with Section 604.5, 607.4 or 610,~~ Reinforcement shall be provided for future installation of grab bars meeting those requirements.

EXCEPTION: Reinforcement is not required in a room containing only a lavatory and a water closet, provided that the room does not contain the only lavatory or water closet on the accessible level of the dwelling unit. Blocking need not be installed behind a fiberglass shower surround. Nothing in this ordinance shall be construed as requiring the installation of grab bars or shower seats referred to in Section 604.5, 607.4 and 610

SOUTH JORDAN CITY

City Council Report

Council Meeting Date: 1/04/05

Issue: A Resolution supporting the concept of Visitability relating to residential buildings and construction.

Submitted By: Ricky A. Horst

Agenda Item No.

Staff Recommendation (Motion Ready): To adopt Resolution No. R-2005-01 – A Resolution Supporting the Concept of Visitability Relating to Residential Buildings and Construction, Referring to Portions of the 1998 American National Standard Accessible and Usable Buildings and Facilities Code, with Local Amendment.

BACKGROUND: The issue of Visitability was introduced to the City Council with direction to staff to review and forward a recommendation. A review was conducted and staff did present our findings to the City Council for discussion purposes only. Media exposure to the topic has generated adverse comments as they relate to this potential mandate. Therefore staff has provided that the City Council might consider a resolution of support for the concept of Visitability without the enforcement mandate. Such action will bring awareness to homeowners and the building community and thus further the cause of Visitability.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

Findings:

- While the decision to look at the issue of Visitability was brought forward by means of citizen comment, the City has since received more comments of concern for the passage of an ordinance that would mandate the construction of additional accessibility applications. Comments have centered on the issue of forcing homebuilders/owners to comply with such an ordinance. It is felt that this should be a decision of personal choice.

Conclusions:

- South Jordan is supportive of the concept of building private residences pursuant to visitability standards and wishes to encourage consideration of it.
- South Jordan does not desire to mandate such an application upon future homeowners believing that while an education process is warranted, the final decision should rest with the homeowner.

Recommendations:

- To adopt a resolution supporting the concept of Visitability.

FISCAL IMPACT:

- N/A

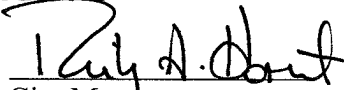
ALTERNATIVES:

- N/A

SUPPORT MATERIALS:

- Resolution No. R-2005-1

Approved as to Content:


City Manager

Legal Review: _____

City Attorney