



ADA COMPLIANCE DIVISION

Metropolitan Government of Nashville & Davidson County

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Common ADA Errors and Omissions in New Construction and Alterations

The ADA requires that new construction and alterations to existing facilities comply with the ADA Standards for Accessible Design (Standards). ADA requirements for new construction and alterations include detailed provisions for elements, spaces, and facilities. Successful accessibility is often measured in inches, so attention to detail can make the difference between achieving access and excluding or injuring someone. When the ADA's minimum requirements are not met, the results can limit or exclude a person with a disability and can be dangerous. For example, when a curb ramp extends into an access aisle at an accessible parking space, a person using a wheelchair may not be able to get out of the car or van. When the slope of a sidewalk that is an accessible route becomes steeper than 1 to 20, railings and edge protection are required for safe use. Objects that project into circulation spaces from the side or that do not provide at least 80 inches of head clearance or a maximum of 27" above the finished floor, can be extremely hazardous to people who are blind or who have low vision.

Introduction

This document lists a sampling of common accessibility errors or omissions that have been identified through the Department of Justice's ongoing enforcement efforts. The specific requirement of the Standards that has not been met follows each error/omission. The list of errors/omissions provides examples of common deficiencies. It is not intended to be comprehensive or exhaustive. Any failure to comply with the Standards violates the ADA.

For additional information about the design and construction requirements of the Americans with Disabilities Act (ADA), contact the Department of Justice ADA Information Line. This free service provides answers to general and technical questions about ADA requirements and is a source for free ADA materials including the ADA Standards for Accessible Design. You may reach the ADA Information Line at: 800 - 514 - 0301 (voice) or 800 - 514 - 0383 (TTY).

ADA information is also available on the Department's ADA Home Page on the World Wide Web at (<http://www.usdoj.gov/crt/ada/adahom1.htm>).

Footnote 1 State and local governments currently have the option to choose the Standards or the Uniform Federal Accessibility Standard (UFAS).

222 Third Avenue North, Suite 701 – Nashville, TN 37201-1604

Phone: (615) 862-8744 - TTY: (615) 862-8951 - Fax: (615) 880-2836

Email: contactADA@Nashville.gov

URL: http://www.nashville.gov/finance/support_services/ada/ada_compliance.htm

Parking

1. Error/Omission:

- *The built-up curb ramp projects into the access aisle.*
- *The accessible parking space and access aisle is not level in all directions.*
- **Result:** When an access aisle has a sloped surface, a wheelchair may roll away from a car or van preventing the wheelchair user from getting out of the vehicle. The sloped surface also prevents a van-mounted wheelchair lift from being fully - lowered to the access aisle surface.
- **Requirement: 502.4 Floor or Ground Surfaces (Parking Spaces)...**Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions. Access aisles shall be at the same level as the parking spaces they serve.

2. Error/Omission:

- *There is no accessible route from accessible parking to an accessible entrance.*
- **Result:** A person using a wheelchair, scooter, or walker has no way of getting from the accessible parking space to the building entrance. Often when there is an inaccessible walkway provided for others, wheelchair users must use a roadway or vehicular route, which can be dangerous.
- **Requirement: 502.3 Access Aisle (Parking Spaces)...**Access aisles shall adjoin an accessible route to the building or facility entrance.

3. Error/Omission:

- *No van accessible spaces are provided in the parking area.*
- **Result:** A person who uses a van equipped with a wheelchair lift has inadequate space to lower the wheelchair lift and get out of the vehicle.
- **Requirement: 208.2.4 Van Parking Spaces.** For every eight or fraction of eight accessible parking spaces required by 208.2, 208.2.1 and 208.2.3, at least one shall be a van accessible parking space complying with 502. Van accessible spaces shall be served by an access aisle 96" wide minimum and shall be designated as "van accessible" as required by 208.4. The vertical clearance at such spaces shall comply with 502.5.

Accessible Route - Exterior

4. Error/Omission:

- *The pedestrian routes on a site from public transportation stops, accessible parking spaces, passenger loading zones, and public streets and sidewalks to the accessible entrance(s) are not accessible.*
- **Result:** People with disabilities cannot travel from the site entry points to the accessible entrance(s). In some cases, people must use vehicular routes, which can be dangerous.
- **Requirement: 206.2.1 Site Arrival Points.** Accessible routes shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading zones, and public streets or sidewalks, to the accessible building or facility entrance they serve.

Curb Ramps

5. Error/Omission:

- *Curb ramp that is located across a circulation path has steep unprotected side flares.*
- **Result:** People walking across the curb ramp may trip and be injured. People who use wheelchairs can tip over if they accidentally roll over the non-flared sides.
- **Requirement: 406.3 Sides of Curb Ramps.** Curb ramps located where pedestrians must walk across the ramp shall have flared sides. Slope of the flares shall not be steeper than 1:10. Where the width of the walking surface at the top of the ramp and parallel to the run of the ramp is less than 48" wide, the flared sides shall have a slope not steeper than 1:12. Curb ramps with returned curbs shall be permitted where pedestrians would not normally walk across the ramp.

Ramps

6. Error/Omission:

- *Landing areas where ramps change direction (e.g., switchbacks or 90° turns) are too small.*
- **Result:** Wheelchair users are unable to go up or down the ramp because there is not enough space to turn on a level surface. This makes the ramp unusable.
- **Requirement: 405.7.4 Change in Direction.** Ramps that change direction between runs at landings shall have a 60" minimum by 60" minimum landing.

7. Error/Omission:

- *Parts of an accessible route with slopes that exceed 1:20 lack required features including handrails and edge protection.*
- **Result:** When a walkway or other pedestrian surface has a slope greater than 1:20, it is more difficult to maintain control of a wheelchair. Wheelchair users may also not be able to climb up the sloped route without railings. Lack of edge protection may result in injury if a wheelchair user rolls off the side of the route. People who use a mobility device such as crutches, a cane, or a walker may lose their balance or fall while using a sloped section that does not have handrails or edge protection.
- **Requirement: 405.9 Edge Protection.** Edge protection complying with 405.9 or 405.9.2 shall be provided on each side of ramp runs and at each side of ramp landings.

Stairs

8. Error/Omission:

- *Handrail extensions are not provided at the top and bottom risers.*
- **Result:** People who use crutches or a cane or who have limited balance may fall at the top or bottom of the stairs because they have no railing to hold onto as they make the transition from the steps to the landing.
- **Requirement: 505.10 Handrail Extensions.** Handrails shall extend beyond stair runs and ramp runs in accordance with 505.10.

Doors

9. Error/Omission:

- *Adequate maneuvering clearance is not provided at doors, including doors to accessible toilet stalls.*
- **Result:** A person using a wheelchair cannot open the door without a clear level area in front of and adjacent to the door that provides a place to maneuver.
- **Requirement: 404.2.4.1 Swinging Doors.** Approaches to swinging doors shall have maneuvering clearances complying with table 404.2.4.1

10. Error/Omission:

- *The shape of the door hardware requires tight grasping, pinching, and twisting of the wrist to use.*
- **Result:** The door cannot be opened if the user cannot operate the latch or handle.
- **Requirement: 404.2.7 Door Hardware.** Handles, pulls, latches, locks, and other operable parts on accessible doors shall comply with **309.4. Operation** (*Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5lbs. Maximum*) Such hardware shall be 34" minimum and 48" maximum above the floor or ground. When sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides.

Circulation Paths

11. Error/Omission:

- *Objects protrude into circulation paths from the side or from posts.*
- *Objects that overhang circulation paths do not provide clear headroom.*
- **Result:** People who are blind or who have low vision can be seriously injured when they cannot detect an object by using the sweep of their cane.
- **Requirement: 307.2 Protrusion Limits.** Objects with leading edges more than 27" and not more than 80" above the floor or ground shall protrude 4" Maximum horizontally into the circulation path.

Toilet Rooms and Bathrooms

12. Error/Omission:

- *Where toilet rooms or bathrooms are provided, not all public and common use toilet rooms and bathrooms (including locker rooms and toilet rooms for employee use) are accessible.*
- **Result:** People with disabilities are restricted to a limited number of toilet rooms and may have to travel long distances to the accessible toilet room while others can use any toilet room.
- **Requirement: 213.2 Toilet and Bathing Facilities.** Where Toilet rooms are provided, each toilet room shall comply with 603. Where bathing rooms are provided, each bathing room shall comply with 603.

13. Error/Omission:

- *Toilet rooms with 6 or more toilet stalls lack a 36" wide "ambulatory" toilet stall.*
- **Result:** Too few accessible stalls are provided for people with mobility disabilities. People who walk with crutches, a cane, a walker, or who have limited balance generally find it easier and safer to use a stall that has parallel grab bars.
- **Requirement: 213.3.1 Toilet Compartments.** Where toilet compartments are provided, at least one shall be a wheelchair accessible compartment complying with 604.8.1. Where six or more toilet compartments are provided, a non-wheelchair accessible compartment complying with 604.8.2 shall be provided in addition to the compartment complying with 604.8.1. Water closets in such compartments shall comply with 604.

14. Error/Omission:

- *The door to the toilet room swings into the required clear floor space at accessible fixtures, controls, and dispensers.*
- **Result:** The entry door to the toilet room cannot be fully opened when a wheelchair user is using the accessible fixture, control, or dispenser. For example, if a person using a wheelchair is positioned in the clear floor space at the paper towel dispenser and that clear floor space overlaps the space needed to swing the door open, the door cannot be fully - opened.

- **Requirement: 603.2.3 Doors.** Doors shall not swing into the clear floor space or clearance required for any fixture.

15. Error/Omission:

- *When a transfer shower is used, it is often larger than the required 36" x 36" size.*
- **Result:** People with disabilities may be injured when using a transfer shower that is too large. Users may slide off the seat and fall onto the floor of the shower while reaching for the shower controls and hand-held showerhead.
- **Requirement: 608.2.1 Transfer Type Shower Compartments.** Transfer-type shower compartments shall be 36" by 36" inside finished dimension measured at the center point of opposing sides and shall have a minimum 36" wide entry on the face of the shower compartment. Clear floor space of 36" wide minimum by 48" long minimum measured from the control wall shall be provided.

Signage

16. Error/Omission:

- *Where permanent room identification signage is provided, it is mounted in the wrong location.*
- **Result:** People who are blind or visually impaired are trained to look in a consistent location for tactile signs. They cannot find the sign if it is not mounted in the correct location.
- **Requirement: 703.2.6 Mounting Height.** Characters shall be located 48" minimum and 60 inches (1525 mm) maximum above the adjacent floor or ground surface measured from the baseline of the characters.
703.2.7 Mounting Location. Where a sign containing tactile characters is provided at a door, the sign shall be located alongside the door at the latch side. Where a tactile sign is provided at double doors, the sign shall be located to the right of the right hand door. Where there is no wall space at the latch side of a single door or to the right side of double doors, signs shall be located on the nearest adjacent wall. Signs containing tactile characters shall be located so that a clear floor space of 18 inches (455 mm) minimum by 18 inches (455 mm) minimum, centered on the sign, is provided beyond the arc of any door swing between the closed position and 45 degree open position.

Visual Alarms

17. Error/Omission:

- *No visual alarms are provided although an audible alarm system is installed.*
- **Result:** People who are deaf have no way of knowing that a building emergency has been declared while others who can hear are alerted by the audible alarm. This is especially true of toilet rooms, and study carrel areas where occupants cannot observe others leaving the facility.
- **Requirement: 702.1 General.** Fire alarm systems required to be accessible shall have audible alarms complying with 702.2 and visual alarms complying with 702.3.

Drinking Fountains

18. Error/Omission:

- *All drinking fountains are mounted with the spout at 36" A.F.F.*
- **Result:** People who have difficulty stooping or bending over are not able to get a drink from the accessible 36" high drinking fountain.
- **Requirement: 602.7 Drinking Fountains for Standing Persons.** Spout outlets shall be 39 inches (990 mm) minimum and 43 inches (1090 mm) maximum above the floor or ground.

Transient Lodging

19. Error/Omission:

- *In hotels, motels, or other lodging facilities of 50 or more sleeping rooms, no rooms with roll-in showers are provided, or the roll-in showers that are provided lack a fold-down seat.*
- **Result:** People who must use a roll-in shower or a shower with a fold-down seat cannot bathe. When a roll-in shower is provided without a

folding seat, guests may resort to using guest room furniture in the shower.

- **Requirement: 806.2.4 Toilet and Bathing Facilities.** Not less than one water closet, one lavatory, and one bathtub or shower shall comply with the applicable provisions of Chapter 6. Required roll-in shower compartments shall comply with 608.2.2 or 608.2.3.

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20. Error/Omission:

- *Wheelchair-accessible rooms are not equipped with visual alarms and notification devices.*
- **Result:** People who are deaf or hard of hearing and who also need to use a guest room with accessible features have no accommodation.
- **Requirement: 806.3.1 Alarms.** Visual alarms complying with 702.3.6 shall be provided. **806.3.2 Notification Devices.** Visual notification devices shall be provided to alert room occupants of incoming telephone calls and a door knock or bell. Notification devices shall not be connected to visual alarm signal appliances. Permanently installed telephones shall have volume controls compatible with the telephone system and shall comply with 704.3. Permanently installed telephones shall be served by an electrical outlet complying with 309 located within 48 inches (1220 mm) of the telephone to facilitate the use of a TTY.

21. Error/Omission:

- *Doors into and within guest rooms that are not accessible guest rooms do not provide at least 32" clear opening width.*
- **Result:** People who use a wheelchair, scooter, or walker are unable to enter standard guest rooms and are excluded from accommodations when accessible guestrooms are occupied.
- **Requirement: 224.1.2 Guest Room Doors and Doorways.** Entrance and passage doors and doorways into and within all guest rooms shall provide clear width complying with 404.2.3.

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Danny Weddell, ADA Compliance Inspector III
Department of Finance
222 3rd Avenue North, Suite 701
Nashville, TN 37201
Office - 862-8744
Mobile - 642-2898
TTY - 862-8951
Fax - 880-2836