

New Initiatives to Expand Accessibility in N.Y.C.

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by Dominic Marinelli

New York City designers and developers should embrace new access standards coming online.

The next six months to a year will be more significant to design professionals, developers, and builders in New York City than the 1993 adoption of the federal Americans with Disabilities Act and its accessibility guidelines.

Earlier this summer, N.Y.C. Mayor Michael Bloomberg signed into law a landmark modernization of the city's Building Code, its first major overhaul since 1968, culminating a multiyear revision effort led by Buildings Commissioner Patricia Lancaster. The proposal overhauls all aspects of the city's construction codes, setting new standards and rules designed to emphasize safety, efficiency, and sustainability.

The document, based on the 2003 edition of the International Building Code, adopts the national accessibility standard ICC/ANSI A117.1 and draws on suggestions from hundreds of stakeholders assembled by the Bloomberg Administration, including the United Spinal Association's Accessibility Services Team and the Mayor's Office for People with Disabilities. The new standards will soon be recognized as the most progressive accessibility code in the country and enhance the base IBC.

But the most important aspect of the change for designers and developers is that the IBC and other industry guidelines have been updated in recent years to strengthen and streamline accessibility standards. Now, New York City is poised to join the effort.

Three years ago, the U.S. Access Board, an independent federal agency, released new de-

sign guidelines covering access for people with ADA-class disabilities. The guidelines update access requirements for a wide range of facilities in the public and private sectors.

To ensure that differences would be reconciled, the board coordinated extensively with model code groups and standard-setting bodies throughout the process – and a primary result was creating guidelines more consistent with the IBC and other industry standards.

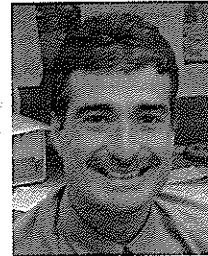
The result achieved historic harmony, bringing about improvements to the guidelines as well as to counterpart provisions in the IBC and other standards from organizations such as the American National Standards Institute.

For instance, recognizing the limitations of the life-safety requirement in the original ADA accessibility guidelines, the revised guidelines upgrade the "means of egress" requirements to reflect IBC standards. The end result is that people with disabilities will now benefit from multiple options to evacuate or to be protected in a safe place during a fire or other emergency.

Now, the new N.Y.C. building code brings those improvements to the local arena. It also includes significant changes to life-safety provisions for people with disabilities.

Designers and developers of multifamily housing who follow the new city code can also be assured that they will meet or exceed federal requirements set by the U.S. Department of Housing and Urban Development. That agency has ruled that the IBC and its A117.1-2006 accessibility reference standard are compliant with the accessibility guidelines of the Fair Housing Amendments Act of 1988.

The new city code's provisions can effectively eliminate a problem that has existed since March 1991, when the city's Local Law 58 came into conflict with the Fair Housing Act with regard to accessibility in multifamily



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housing, especially in kitchens and bathrooms. Projects complying only with Local Law 58 were at risk of violating the federal law. United Spinal's Accessibility Services Team often helps designers and developers of multifamily housing sort out the differences.

More changes may be on the horizon. The U.S. Department of Justice is expected to issue a Notice of Proposed Rulemaking in the next few months to adopt the U.S. Access Board's Revised ADA/ABA Accessibility Guidelines.

Many New York City projects are already taking steps to meet higher accessibility standards with United Spinal's help. Some examples include the new Yankee Stadium, the new Citi Field for the Mets, and Lincoln Center, which will have features that meet or exceed the often conflicting city and federal accessibility requirements. United Spinal also works directly with local architectural firms, including Perkins Eastman, Brennan Beer Gorman, and M.J. Macaluso & Associates Architects, to ensure compliance on their projects.

Large projects such as these require expertise to meet the code requirements. They also demand open dialogue between the community and project developers so they can work together to best achieve accessibility. <<